CLINE WILLIAMS
WRIGHT JOHNSON & OLDFATHER



GARY R. BATENHORST

gbatenhorst@clinewilliams.com
(402) 397-1700

PRACTICE AREAS

- Franchising and Distribution
- Business Organizations
- Mergers and Acquisitions
- Real Estate and Environmental Law

Practice Emphasis:

Gary has extensive experience in franchising and distribution matters. He was in-house counsel for Godfather's Pizza, Inc. for over 17 years, serving as Vice President, Secretary and General Counsel from 1988 to 2001. Gary has represented both franchisors and franchisees in franchise development and franchise relationship matters, the establishment of new franchise systems, franchise law compliance and advising new franchisees. He advises manufacturers on issues related to their distribution systems. He also works in the areas of real estate, acquisition and divestitures of businesses, formation of new business entities, lender relationships, and general advice to companies on issues including marketing and contractual matters.

Admitted to Practice:
Nebraska
California

Education:
New York University, J.D., 1976
Creighton University, B.S.B.A., magna cum laude, 1973

Other Experience/Achievements:

- Named: Best Lawyers 2023 - Franchise Law Lawyer of the Year for Omaha
- Named: Best Lawyers 2021- Franchise Law Lawyer of the Year for Omaha
- Listed: Best Lawyers in America (Woodward/White, Inc.) (Franchise Law)
- Named: Best Lawyers 2018 - Franchise Law Lawyer of the Year for Omaha
- Named: Best Lawyers 2013 - Franchise Law Lawyer of the Year for Omaha
- Listed: Great Plains Super Lawyers (Franchise/Dealership; Business/Corporate)
- Adjunct faculty member, Creighton University School of Law teaching Franchising (1991-2004) and Business Planning (2005-2021)
- Member, Governing Committee of American Bar Association Forum on Franchising (2018-2021)
- Co-Chair ABA Forum on Franchising Annual Meeting (2020)
- Listed: Certified Franchise Executive (CFE), International Franchise Association, 2016
- Past Chair, Nebraska State Bar Association Corporate Counsel Section
- Past President and Past Member, Board of Directors, Holy Name Housing Corporation
- Member, Creighton University Heider College of Business Administration Advisory Council
- Recipient, Spirit of Creighton Award
- Alpha Sigma Nu
- Editor-in-Chief, Franchise Law Journal (2015-2018)
- Selected to Franchise Times Legal Eagles (2014, 2015, 2016)
- Co-authored and spoke on "Franchising in Non-Traditional Venues; So Many Options, So Much to Understand", American Bar Association 44th Annual Forum on Franchising, 2021
- Co-authored and spoke on "Mobile Apps, Remote Ordering, and Loyalty Programs; Risks and Opportunities", American Bar Association 42nd Annual Forum on Franchising, 2019
- Co-authored and spoke on "In Sync: What In-House Counsel and their Business Clients Expect from Their Outside Counsel", American Bar Association 41st Annual Forum on Franchising, 2018
- Co-authored and spoke on "As My Franchisor Lay Dying - Franchisee and Franchisor Options in a Struggling System", American Bar Association 40th Annual Forum on Franchising, 2017
- Spoke on "Structuring and Managing a Franchise Legal Compliance Program - Beyond Franchise Disclosure Issues", American Bar Association 39th Annual Forum on Franchising, 2016

- Co-authored and spoke on "SBA Lending: Considerations for Franchisors and Franchisees", American Bar Association, 37th Annual Forum on Franchising, 2014
- Published: "Nebraska's New Franchise Noncompete Law: Making the Potentially Unenforceable Enforceable", The Nebraska Lawyer, November/December 2016
- Published: Franchisee Marketing Chapter in Collateral Issues in Franchising: Beyond Registration and Disclosure (2014)
- Co-authored with Elliot Ginsburg: "A Franchise Agreement Wish List", The Franchise Lawyer (Winter 2014)
- Published: "Franchise Law for Nebraska Lawyers," The Nebraska Lawyer, March/April, 2012
- Published: Co-authored and spoke on "State Tax Update and Strategies for Dealing with Changing State Tax Landscape," International Franchise Association Legal Symposium, 2012
- Published: Co-authored and spoke on "Tips, Techniques and Traps for Drafting and Using Financial Performance Representations," American Bar Association, 35th Annual Forum on Franchising, 2012
- Published: Nebraska Chapter of Covenants Against Competition in Franchise Agreements, 3rd edition, 2012
- Co-authored with Adam W. Barney: "The Quagmire of the State Income Tax Nexus in the Wake of KFC v. Iowa Dep't of Revenue," American Bar Association Franchise Law Journal, Winter 2012
- Published: "Breaking Up Is Hard to Do: Challenges and Opportunities in Franchisor Buyback Rights and Obligations," American Bar Association Franchise Law Journal, Fall 2010